

APR 08 2005

**VIA FACSIMILE: (703-872-9306)**

Atty. Docket No. MAR37 P-314A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit : 1653  
Examiner : David Lukton  
Applicants : Lars Eric Sundstrom et al.  
Appln. No. : 10/719,599  
Filing Date : November 20, 2003  
Confirmation No. : 3116  
For : NEUROPROTECTIVE AGENTS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being transmitted by facsimile to the Patent and Trademark Office on the date shown below:

1. Claims as Amended Cover Sheet (in duplicate); and
2. Amendment consisting of eighteen (18) pages.

**YOU SHOULD RECEIVE A TOTAL OF 23 PAGES.**

April 8, 2005  
Date

Deborah A. Witvoet  
Deborah A. Witvoet  
Price, Heneveld, Cooper,  
DeWitt & Litton, LLP  
695 Kenmoor, S.E.  
Post Office Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610

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Dear Sir:

Transmitted herewith is an Amendment to the Office Action mailed March 10, 2005 in the above-identified application.

Any fee for additional claims has been calculated as shown below:

## CLAIMS AS AMENDED

	Col. 1		Col. 2	Col. 3	Small Entity		Other Than A Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total Claims	* 43	Minus	** 43	=	x \$25	\$ 0	X \$ 50	\$
Independent Claims	* 3	Minus	*** 3	=	x 100	\$ 0	X \$200	\$
First Presentation of Multiple Dependent Claims \$180						\$ 0	X \$360	\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0		\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.  
 The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Applicants : Lars Eric Sundstrom et al.  
 Appln. No. : 10/719,599  
 Page : 2

**Each Additional Group of 50 Pages That Exceeds 100 Pages**

Col. 1		Col. 2	Col. 3	Small Entity		Other Than A Small Entity	
No. of Groups Remaining After Amendment		Highest No. of Groups Previously Paid For	Present Extra Groups	Rate (each add'l 50 pages over 100)	Add'l Fee	Rate (each add'l 50 pages over 100)	Add'l Fee
1	Minus	*2	=**0	x \$125	\$ 0	X \$250	\$

One "group" is a set of 50 application (specification, claims, abstract, and drawings) pages.

\* If the entry in Col. 2 is more than the entry of Col. 1, write "0" in Col. 3

\*\* If the entry in Col. 3 is not "0," pay the required fee.

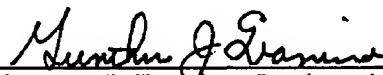
1.        Small entity status of this application 37 CFR §§1.9 and 1.27 has been established by a verified statement previously submitted or is enclosed.
2.   X   No additional fee is required.
3.        A fee of \$        to cover the cost of the additional claims added by this response is enclosed.
4.        A fee of \$        to cover the application size fee is enclosed.
5.   X   Please charge any additional fees or credit overpayment to Deposit Account No. 16 2463. A duplicate copy of this sheet is attached.

Respectfully submitted,

April 8, 2005

Date

GJE/daw



Gunther J. Evanina, Registration No. 35 502  
 Price, Heneveld, Cooper, DeWitt & Litton, LLP  
 695 Kenmoor, S.E.  
 Post Office Box 2567  
 Grand Rapids, Michigan 49501  
 (616) 949-9610

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TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0		\$

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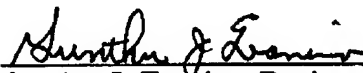
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1. ☐ Small entity status of this application 37 CFR §§1.9 and 1.27 has been established by a verified statement previously submitted or is enclosed.
2. ☒ No additional fee is required.
3. ☐ A fee of \$\_\_\_\_\_ to cover the cost of the additional claims added by this response is enclosed.
4. ☐ A fee of \$\_\_\_\_\_ to cover the application size fee is enclosed.
5. ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 16 2463. A duplicate copy of this sheet is attached.

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AMENDMENT

In response to the Office Action mailed March 10, 2005, Applicants request entry of the following amendments and consideration of claims 1-32 in view of the elections of invention and/or species set forth below.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 17 of this paper.